

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA                 ) 2009 JUN -4 P 5:18  
v.    )  
  
1. SPENCER GRAY,                      ) FILED  
  ) U.S. DISTRICT COURT  
2. KARL LAWRENCE PRESCOTT,            )  
and                                      )  
  )  
3. KEVIN VICKERS,                     )  
a/k/a "KELVIN VICKERS,"             )  
Defendants.                             )

CRIMINAL NO.         04-10115-RCL

ASSENTED-TO MOTION TO EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT

Comes now the United States of America, through the undersigned counsel, and files the government's Assented-To Motion to Exclude Time Under the Speedy Trial Act for the period from June 2, 2004 through August 2, 2004. In support of its motion, the government states as follows:

1. On June 3, 2004, Chief Magistrate Judge Bowler held an Initial Status Conference for the defendants in the above-captioned matter. Attorney George Gormley appeared at that time on behalf of his own client and on behalf of the clients represented by Attorneys Thomas Ford and James Cipoletta. At that Status Conference, Attorney Gormely advised the Court that each of the three defendants needed additional time to review the discovery provided to them by the government and to consider whether or not the charges against them could be resolved without a trial.

2. Through Attorney Gormley, the defendants requested and

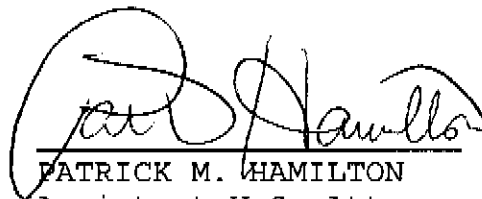
the Court scheduled a possible Final Status Conference for August 2, 2004 at 2:30 p.m. and, on behalf of all three defendants, Attorney Gormley agreed that the period of time from June 3 through and including August 2, 2004 is excludable for purposes of the Speedy Trial Act. Accordingly, the period of time from June 3, 2004 through August 2, 2004 is excludable pursuant to 18 U.S.C. § 3161(h)(8)(A) on the grounds that the interests of justice outweigh the best interests of the public and the defendants in a speedy trial.

3. Based on the foregoing, the government respectfully submits that an order of excludable delay should issue pursuant to 18 U.S.C. § 3161(h)(8)(A) as to all defendants for the period from June 3 through August 2, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN  
UNITED STATES ATTORNEY

By:



PATRICK M. HAMILTON  
Assistant U.S. Attorney  
1 Courthouse Way, Suite 9200  
Boston, MA 02210

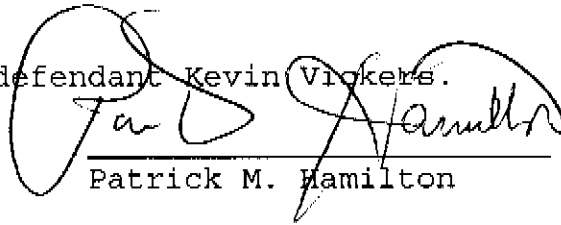
Date: June 4, 2004

**CERTIFICATE OF SERVICE**

I, Patrick M. Hamilton, do hereby certify that a copy of the foregoing has been served this date by first-class mail upon Thomas Ford, Esq., 141 Tremont Street, Suite 400, Boston, MA 02111, counsel for defendant Spencer Gray; George F. Gormley, Esq., 655 Summer Street, Boston, MA 02210, counsel for defendant Karl Lawrence Prescott; and James J. Cipoletta, Esq., 385 Broadway,

Revere, MA 02151, counsel for defendant Kevin Vickers.

Date: June 4, 2004



Patrick M. Hamilton